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SA file

10-8256  
River Ranch

AGT. # 06-321

8/15/06

### SETTLEMENT AGREEMENT

This Settlement Agreement is entered into as of the <sup>Aug</sup>15 day of ~~July~~ 2006, by and among: (1) Petitioner CITY OF FRESNO and Respondents COUNTY OF MADERA and BOARD OF SUPERVISORS OF COUNTY OF MADERA and Real Parties In Interest CENTRAL GREEN COMPANY, OAK GROVE INVESTORS, LARRY L. FREELS, RANGER GROUP, RIVER VISTA PARTNERS, CENTRAL GREEN MUTUAL WATER COMPANY, and R. DAN EWELL in Stanislaus County Superior Court Case NO. 351003.

(2) Petitioner COUNTY OF FRESNO and Respondents COUNTY OF MADERA and BOARD OF SUPERVISORS OF COUNTY OF MADERA and Real Parties In Interest CENTRAL GREEN COMPANY, OAK GROVE INVESTORS, RANGER GROUP, RIVER VISTA PARTNERS, CENTRAL, GREEN MUTUAL, WATER COMPANY and LARRY L. FREELS, in Stanislaus County Case No. 351033.

Collectively, the City of Fresno and County of Fresno may be referred to herein as the "Petitioners," Madera County, together with its Board of Supervisors may be referred to as "Respondents," and Central Green together with all other real parties in interest named in either Case No. 351003 or Case No. 351033 may be referred to as "Real Parties." Collectively, the Petitioners, Respondents and Real Parties may be referred to as the "Parties."

### RECITALS

A. Central Green Company is the developer of the River Ranch Estates development in southeastern Madera County, consisting of approximately 1,722 acres of which 793 were subdivided into 181 lots and 40-outlots, associated school and park sites, designated for future development, and preserved open space (the "Development"). The Development includes a tentative tract map, rezoning, a Master Development Plan and an Infrastructure Master Plan. This settlement exclusively encompasses the environmental review that addressed the entitlements and approvals, approved by

the County of Madera for the River Ranch Estates Subdivision as part of the certification of the EIR for the development, including the 181 lots. The parties acknowledge that development of the 40 out-lots, as well as the additional 929 acres of land, will occur through future discretionary action which will require future and additional environmental analysis. Additional environmental analysis may include the preparation of an initial study, negative declaration or mitigated negative declaration, or environmental impact report.

B. Respondents tentatively approved the Project on March 8, 2004, pending the adoption of findings to be drafted by County staff. A Board of Supervisors meeting on the adequacy of the finding prepared to support the Statement of Overriding Conditions, occurred on May 11, 2004. Respondents certified the environmental impact report for the Project and approved the Project on or about May 11, 2004. A notice of determination for the Project was timely posted.

C. On June 10, 2004, Petitioner County of Fresno filed, and on June 11, 2004, City of Fresno filed, separate Petitions for Writ of Mandate in Madera County Superior Court. Each petition alleged that Respondents violated, *inter alia*, the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA") in connection with its approval of the Project. The matters were subsequently transferred to the Superior Court for the County of Stanislaus and consolidated for trial under lead case number 351003.

E. On March 20 and 27, 2006, the Parties participated in a voluntary mediation before a neutral mediator and reached a negotiated settlement of the disputes. Thereafter, the legislative bodies of each of the governmental agencies approved the settlement. The Parties have agreed to settle the above disputes in order to avoid the necessity of further legal proceedings and the time, expense and uncertainty that such proceedings would involve. The Parties acknowledge that the money paid and other valuable consideration for settlement is solely for the purpose of resolving this

dispute, advancing regional cooperation and preventing further involvement in protracted litigation, thereby fully and finally resolving the claims and ending the Action.

### **AGREEMENT**

NOW THEREFORE, in consideration of the above Recitals and for other good and valuable consideration, the receipt and adequacy of which is acknowledged, it is hereby agreed as follows:

#### **1. Dismissal and Payment**

1.1 Respondent, County of Madera will pay the sums of \$300,000.00 to the City of Fresno and \$300,000.00 to the County of Fresno. Payment shall be made by Madera County to the City of Fresno and County of Fresno within 30 days of the date of execution hereof. The City of Fresno and County of Fresno shall file their request for dismissals with prejudice of their respective actions within five days of the receipt of payment specified herein. The City of Fresno and County of Fresno shall not negotiate the settlement checks until after filing their respective requests for dismissals.

1.2 Each Party shall bear its own costs and attorneys' fees.

#### **2. Joint Study of Regional Traffic**

The City of Fresno, the County of Fresno, and the County of Madera each affirm their respective intention to jointly undertake the study of regional traffic issues necessary to consider and adopt a regional traffic impact fee program.

#### **3. Attorneys Fees**

If enforcement of this Settlement Agreement is required, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs. The Parties may agree to engage in mediation of any dispute in advance of litigation, but no pre-litigation mediation shall be required and this provision shall not prevent any party from seeking injunctive relief.

#### **4. No Admission**

Nothing in this Settlement Agreement shall be deemed as an admission or denial as to the validity of any claims or defenses.

#### **5. Entire Agreement**

The Parties agree that this Settlement Agreement sets forth the entire agreement between them and relating to the subject matter, and that this document merges and supersedes all prior discussions, agreements, understandings, representations, and all other communications between them relating to the subject matter of this Settlement Agreement. The subject matter of this agreement includes waiver of challenge to the final judgment and any subsequent environmental documents, if any, that may arise through return of writ in *Madera County Farm Bureau, et al. v. County of Madera, et al.*, Stanislaus County Superior Court Case No. 350927. The subject matter of this agreement does not include future discretionary actions by the County of Madera relating to, addressing or involving the River Ranch Estates, the 40-outlots, associated school, park sites, preserved open space, or the additional 929 remaining acres within the North Fork Village Logical Sub-Area of the Rio Mesa area plan. Notwithstanding this agreement, the parties reserve all their respective rights relating to any future discretionary actions by Madera County relating to River Ranch Estates, the 40-outlots, associated school, park sites, preserved open space, or the additional 929 remaining acres within the North Fork Village Logical Sub-Area of the Rio Mesa area plan. Nothing in this settlement agreement shall preclude the petitioners from seeking judicial review of such future discretionary actions such as subdivision map filings or environmental analysis even if such subdivision map filings or environmental analysis utilize, supplement, tier off, or reference currently existing environmental analysis.

#### **6. Warranty of Authority**

Each Party represents and warrants that it has the right, power and authority to execute this Settlement Agreement. Each Party further represents and warrants that it has the exclusive right to prosecute and compromise the claims released by this Settlement Agreement and that it has neither made nor suffered to be made any sale, assignment, transfer, conveyance, pledge, hypothecation, or encumbrance of any kind whatsoever of any right, claim, demand, obligation, cost, expense, sanction, grievance, action, cause of action, controversy, debt, damage, arbitration, liability, duty, penalty, attorney fee, charge, suit, punitive damage, injury, loss, agreement, contract, promise, or lien released, canceled, rescinded or discharged hereby, and that it is the sole and absolute legal and equitable owner thereof, free and clear of any interest of any other person or entity. Each Party represents and warrants that it has given any and all notices, and obtained any and all consents, powers and authorities, necessary to permit it, and the persons executing this Settlement Agreement for it, to enter into this Settlement Agreement.

#### **7. Written Waiver**

A waiver of any Party's right to enforce any provision of this Settlement Agreement shall not be effective unless such a waiver is made expressly in writing. An express waiver of any one breach shall not be deemed a waiver of any other breach of the same or any other provision of this Settlement Agreement.

#### **8. Legal Representation**

The Parties affirm that they have been represented by counsel of their own choosing regarding the preparation and negotiation of this Settlement Agreement and the matters and claims set forth herein, and that each of them has read this Settlement Agreement and is fully aware of its contents and its legal effect. Neither Party is relying on any statement of the other Party outside the terms set forth in this Settlement Agreement as an inducement to enter into this Settlement Agreement.

#### **9. Joint Preparation**

The language of all parts of this Settlement Agreement shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any party. No presumptions or rules of interpretation based upon the identity of the party preparing or drafting the Settlement Agreement, or any part thereof, shall be applicable or invoked.

**10. Equal Dignity**

This Settlement Agreement may not be altered, amended, modified or otherwise changed except in writing duly executed by an authorized representative of each of the Parties.

**11. Binding on Assignees**

This Settlement Agreement shall be binding on and inure to the benefit of the heirs, successors and assigns of the Parties to the Settlement Agreement.

**12. California Law**

This Settlement Agreement shall be governed by and construed in accordance with the laws of the State of California.

**13. Counterparts**

This Settlement Agreement may be executed in counterparts, each of which will be deemed an original. This Settlement Agreement shall be binding upon the receipt of facsimile signatures.

**14. Captions**

Captions are included herein for ease of reference only. The captions are not intended to affect the meaning of the contents or scope of this Settlement Agreement.

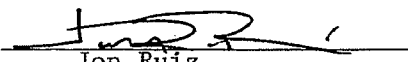
**15. Survival of Obligations**

None of the releases contained in this Settlement Agreement is intended to release any Party from any obligation or understanding to be performed pursuant to this Settlement Agreement, all of which obligations and understandings shall survive the execution hereof.

IN WITNESS WHEREOF this Settlement Agreement is executed and agreed to by the following, as of the last date set forth below.

It is so agreed.

CITY OF FRESNO

By:   
Jon Ruiz  
Its: Assistant City Manager  
Date: 7/11/06

COUNTY OF MADERA and BOARD OF SUPERVISORS OF MADERA COUNTY

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

CENTRAL GREEN COMPANY

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

COUNTY OF FRESNO

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

OAK GROVE INVESTORS

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

RIVER VISTA PARTNERS

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

RANGER GROUP, INC.

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

CENTRAL GREEN MUTUAL WATER COMPANY

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

\* \* \* \* \*

IN WITNESS WHEREOF this Settlement Agreement is executed and agreed to by  
the following, as of the last date set forth below.

CITY OF FRESNO

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

COUNTY OF MADERA and BOARD OF  
SUPERVISORS OF MADERA COUNTY

By: Frank Bigelow

Its: Chairman

Date: 8-11-06

CENTRAL GREEN COMPANY

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

COUNTY OF FRESNO

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

OAK GROVE INVESTORS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

RIVER VISTA PARTNERS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

RANGER GROUP, INC.

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

CENTRAL GREEN MUTUAL WATER  
COMPANY

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

R. DAN EWELL

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

LARRY L. FREELS

By: \_\_\_\_\_

Its: \_\_\_\_\_


Date: \_\_\_\_\_



IN WITNESS WHEREOF this Settlement Agreement is executed and agreed to by the following, as of the last date set forth below.

It is so agreed.

CITY OF FRESNO

By:   
Jon Ruiz  
Its: Assistant City Manager  
Date: 7/11/06

CENTRAL GREEN COMPANY

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

OAK GROVE INVESTORS

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

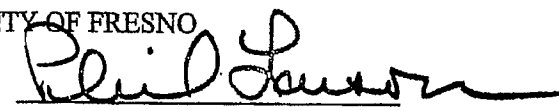
RANGER GROUP, INC.

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

COUNTY OF MADERA and BOARD OF SUPERVISORS OF MADERA COUNTY

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

COUNTY OF FRESNO

By:   
Its: Chairman  
Date: 8-15-06

RIVER VISTA PARTNERS

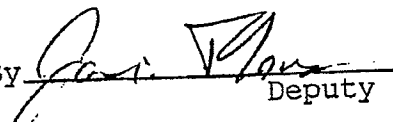
By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

CENTRAL GREEN MUTUAL WATER COMPANY

By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

ATTEST:

BERNICE E. SEIDEL, Clerk  
Board of Supervisors

By:   
Deputy

IN WITNESS WHEREOF this Settlement Agreement is executed and agreed to by the following, as of the last date set forth below.

It is so agreed.

CITY OF FRESNO

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

COUNTY OF MADERA and BOARD OF  
SUPERVISORS OF MADERA COUNTY

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

CENTRAL GREEN COMPANY

By: \_\_\_\_\_

Its: *General Partner*

Date: *7/19/06*

COUNTY OF FRESNO

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

OAK GROVE INVESTORS

By: \_\_\_\_\_

Its: *General Partner*

Date: *7/19/06*

RIVER VISTA PARTNERS

By: \_\_\_\_\_

Its: *General Partner*

Date: *7/19/06*

RANGER GROUP, INC.

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

CENTRAL GREEN MUTUAL WATER  
COMPANY

By: \_\_\_\_\_

Its: *PRESIDENT*

Date: *7/19/06*

IN WITNESS WHEREOF this Settlement Agreement is executed and agreed to by the following, as of the last date set forth below.

It is so agreed.

CITY OF FRESNO

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

COUNTY OF MADERA and BOARD OF  
SUPERVISORS OF MADERA COUNTY

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

CENTRAL GREEN COMPANY

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

COUNTY OF FRESNO

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

OAK GROVE INVESTORS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

RIVER VISTA PARTNERS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

RANGER GROUP, INC.

By: R Gan Simal

Its: Pres

Date: 7/01/6

CENTRAL GREEN MUTUAL WATER  
COMPANY

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

R. DAN EWELL

By: R Dan Ewell

Its: \_\_\_\_\_

Date: 7/06/06

LARRY L. FREELS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

MORRISON & FOERSTER

\_\_\_\_\_  
Andrew B. Sabey

Date: \_\_\_\_\_

Attorneys for County of Madera and Board  
of Supervisors of Madera County

OFFICE OF THE FRESNO  
COUNTY COUNSEL

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Kevin Briggs

Date: \_\_\_\_\_

Attorneys for County of Fresno

FELGER & ASSOCIATES

\_\_\_\_\_  
Warren Felger

Date: \_\_\_\_\_

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Company

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Troy T. Ewell  
Troy T. Ewell

Date: 7/6/06

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James C. Sanchez

Date: \_\_\_\_\_

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Geralyn L. Skapik  
Geralyn L. Skapik

Date: 7/17/06

Attorneys for City of Fresno

SAGASER, JONES & HAHESY

\_\_\_\_\_  
Timothy Jones

Date: \_\_\_\_\_

Attorneys for Central Green, Larry L.  
Freels, River Vista Partners, and Oak  
Grove Investors

R. DAN EWELL

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

LARRY L. FREELS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: 7/19/06

**APPROVED AS TO FORM:**

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Attorneys for County of Fresno

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Warren Felger

Date: \_\_\_\_\_  
Attorneys for Central Green Water  
Company

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Troy T. Ewell

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Group, Inc.

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James C. Sanchez

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Geraldyn L. Skapik

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John P. Jones For  
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Timothy Jones

Date: 7-25-06  
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Grove Investors

R. DAN EWELL

By: R Dan Ewell

Its: \_\_\_\_\_

Date: 7/26/06

LARRY L. FREELS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

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Date: 7/18/06

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Troy T. Ewell

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Geralyn L. Skapik

Date: \_\_\_\_\_

Attorneys for City of Fresno

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Timothy Jones

Date: \_\_\_\_\_

Attorneys for Central Green, Larry L.  
Freels, River Vista Partners, and Oak  
Grove Investors

R. DAN EWELL

By: R Dan Ewell

Its: \_\_\_\_\_

Date: 8/06/06

LARRY L. FREELS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

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Andrew B. Sabey

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Attorneys for County of Madera and Board  
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Attorneys for County of Fresno

FELGER &amp; ASSOCIATES

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Warren FelgerDate: 10/6/06  
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Geraldyn L. SkapikDate: \_\_\_\_\_  
Attorneys for City of Fresno

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Timothy JonesDate: \_\_\_\_\_  
Attorneys for Central Green, Larry L.  
Freels, River Vista Partners, and Oak  
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R. DAN EWELL

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

LARRY L. FREELS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

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Andrew B. Sabey

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Kevin Briggs

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Warren Felger

Date: \_\_\_\_\_

Attorneys for Central Green Water  
Company

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Troy T. Ewell

Date: \_\_\_\_\_

Attorneys for R. Dan Ewell and Ranger  
Group, Inc.

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CITY OF FRESNO

\_\_\_\_\_  
James C. Sanchez

Date: 7-11-06

Attorneys for City of Fresno

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\_\_\_\_\_  
Geraldyn L. Skapik

Date: \_\_\_\_\_

Attorneys for City of Fresno

SAGASER, JONES & HAHESEY

\_\_\_\_\_  
Timothy Jones

Date: \_\_\_\_\_

Attorneys for Central Green, Larry L.  
Freels, River Vista Partners, and Oak  
Grove Investors



R. DAN EWELL

By: R Dan Ewell

Its: \_\_\_\_\_

Date: 7/26/06

LARRY L. FREELS

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

MORRISON & FOERSTER

\_\_\_\_\_  
Andrew B. Sabey

Date: \_\_\_\_\_

Attorneys for County of Madera and Board  
of Supervisors of Madera County

OFFICE OF THE FRESNO  
COUNTY COUNSEL

Kevin Briggs  
Kevin Briggs

Date: 8/9/06

Attorneys for County of Fresno

FELGER & ASSOCIATES

\_\_\_\_\_  
Warren Felger

Date: \_\_\_\_\_

Attorneys for Central Green Water  
Company

LAW OFFICES OF TROY T. EWELL

Troy T. Ewell  
Troy T. Ewell

Date: 7/16/06

Attorneys for R. Dan Ewell and Ranger  
Group, Inc.

OFFICE OF THE CITY ATTORNEY,  
CITY OF FRESNO

\_\_\_\_\_  
James C. Sanchez

Date: \_\_\_\_\_

Attorneys for City of Fresno

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Geraldyn L. Skapik

Date: \_\_\_\_\_

Attorneys for City of Fresno

SAGASER, JONES & HAHESY

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Timothy Jones

Date: \_\_\_\_\_

Attorneys for Central Green, Larry L.  
Freels, River Vista Partners, and Oak  
Grove Investors

# SAN JOAQUIN RIVER TRANSPORTATION STUDY

## DRAFT FINAL EXECUTIVE SUMMARY

*Prepared for*

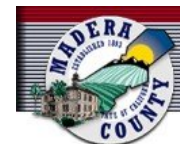


Madera County Planning Department

June 23, 2008



2020 East First Street, Suite 400  
Santa Ana, California 92705

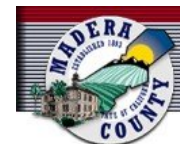


# San Joaquin River Transportation Study

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# San Joaquin River Transportation Study

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## 1.0 INTRODUCTION

### 1.1 PURPOSE OF THE SAN JOAQUIN RIVER TRANSPORTATION STUDY

The Fresno-Madera Metropolitan Area is California's 5th most populous metropolitan area. The City of Fresno is the 6th largest city in the state and largest city in the Central Valley with 481,000 persons (CA Department of Finance, 2007). Both Madera and Fresno County are among the fastest growing counties in California. Combined these counties added over 20,000 persons since 2006. By 2030, Fresno County is estimated to reach 1.3 million persons and surpass 1.65 million by 2050. Madera County is anticipated to reach 220,000 persons by 2030 and surpass 300,000 persons by 2050.

Today, the area is the largest in the state without an advanced mass transit system such as light rail. The private automobile is the dominant form of transportation. Population and vehicle miles traveled (VMT) in the metropolitan area grew at a much faster rate during the last 20 years than in other areas of the State. The population increased approximately 56%, from nearly 2.1 million in 1981 to over 3.2 million in 2000. During the same period, the daily VMT more than doubled, from about 35 million miles per day in 1981 to over 82 million miles per day in 2000. This represents a 136% increase. As these figures show, VMT is growing at more than twice the rate of population growth, this has had tremendous negative effects on the Region's transportation system.

In general, Madera, Fresno, Kings, Tulare, and part of Merced County are impacted by the Fresno/Clovis metropolitan area. As Fresno continues to grow in population, urbanized areas will continue to sprawl into suburban and rural areas. The Rio Mesa Area Plan, the Castle Cooke development, Gateway Village, Friant Ranch and the Gunner Ranch Area Plan areas are preparing to meet the housing demand of greater Fresno's expanding population.

Eastern Madera and northern Fresno County are developing and becoming urbanized at an impressive rate. Valley Children's Hospital is located in this study area and associated medical development is occurring on surrounding land near the hospital. There are also plans to add residential and commercial developments north of the San Joaquin River both east and west of the SR-41. This growth pattern has necessitated planning efforts to provide for improved east-west mobility in the region, generally extending from SR-99 on the west, to Millerton Lake/Friant Dam to the east. This east-west route would connect with existing north-south transportation facilities to improve mobility in the growing areas and reduce anticipated congestion that is expected to result if future transportation facilities are not incorporated into the region's growth plans. Another important aspect of a new east-west transportation corridor is that it would provide an additional vehicular crossing of the San Joaquin River. SR-41 currently provides the primary river crossing opportunity in the area. Since development and traffic patterns indicate that there will be a growing need to travel between the two sides of the river, the single crossing point at SR-41 will become more congested over time. Widening the SR-41 crossing will accommodate some traffic growth; however, eventually additional river crossings will be needed.



## **San Joaquin River Transportation Study**

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The Rio Mesa Plan is a community master plan effort to develop the southeast portion of Madera County. It envisions a growth of 100,000 persons with 30,000 dwelling units. In addition, commercial uses are anticipated to generate 20,000 jobs by its build-out year. This projected population would be larger than the population size of Clovis (92,269) or Santa Monica (91,124). The Rio Mesa Plan proposes 3 “villages” in its development. Phase 1, North Fork Village-1 proposes building 2,996 dwelling units, mixed use development, and commercial/office uses. It is estimated to generate nearly 9,000 residents and 3,350 jobs. In the future, this planned development will require at least one additional river crossing to relieve increasing traffic congestion on SR-41 and improve mobility.

The effort for an additional river crossing between Fresno and Madera counties began in the mid-1990’s with the East-West Corridor Study-Phase I. It considered 9 potential corridor locations and screened them into the 4 most feasible. In the early 2000’s, the East-West Corridor Study-Phase II was conducted. It recommended a preferred alternative based on the least impact to the environment and most feasible in terms of engineering, since the facility is located at one of the narrowest reaches of the river. Both factors influence the project’s cost-effectiveness, constructability, and political liability.

### **1.2 PROJECT LIMITS**

The San Joaquin River Transportation Study project covers parts of two Central California counties, Fresno and Madera. It is situated in southeast Madera County and an area northeast of Fresno. More specifically, the study area straddles along the San Joaquin River between Millerton Lake and State Route 145. The project area boundaries are:

To the east, SR-145, traversing the City of Madera and intersecting SR-99;

To the west, Auberry Road, converting to Minnewwa Avenue at its southern extent;

To the south, Shaw Avenue, extending from the City of Fresno to Clovis;

To the North, SR-145, converting to Millerton Road;

The areas between SR-145 and SR-41 are predominantly undeveloped lands that are being master planned for residential and commercial uses. Currently, the area is primarily zoned a combination of Agricultural Rural/Foothills and Agricultural Rural/Exclusive. A majority of the area has been regularly leased to cattle grazing. Madera County is in the process of adopting new zoning ordinances to allow the development of residential, commercial, and mixed uses. These new developments will require infrastructure to accommodate its planned uses including transportation upgrades and new facilities. Improvements will include mitigation to existing intersections, road widening, and other roadway enhancements.

### **1.3 MISSION STATEMENT AND PROJECT OBJECTIVES**

Early in the process of developing this study, the participating agencies prepared a mission statement that was approved by the Steering Committee. This mission statement dated July 2005, is as follows:



## San Joaquin River Transportation Study

*“To retain the service of an independent transportation planning/engineering firm to evaluate long range transportation needs based on the adopted General Plans for Fresno and Madera Counties and the Cities of Clovis, Fresno and Madera. The technical study will build upon validated data from prior studies, and be used to develop a regional transportation plan for the San Joaquin River area and the interconnection of the planned population centers of the two counties and three cities. The study would identify transportation corridors, the method to preserve selected transportation corridors, and identify potential funding strategies.”*

The purpose of this study is to analyze and evaluate anticipated development activity in the Fresno-Madera metropolitan area and its effects on the performance of the planned transportation system to determine the most feasible highway alignment alternatives to cross the San Joaquin River. The region has all ready established the fact that there is a lack of capacity between the two Counties and that recently approved major developments will put more pressure on the SR-41 highway corridor. A previous East-West Corridor Study performed by Fresno COG analyzed alternative crossings as far east as SR-168. The information generated in this study will add to that database and allow us to develop alternative San Joaquin River crossings that will provide additional capacity in the north-south direction as far east as the Friant Dam. In fact, this analysis will look at the minimum of five potential crossings in the enlarged study area.

The goals of this project have been established by the Steering Committee as set forth in the mission statement as follows:

- Develop an accurate understanding of the study area demand through a project level model of the area and use that data to determine transportation needs;
- Identify potential alternative crossings and related highway alignments;
- Analyze the alignment alternatives for engineering and environmental constraints and capital costs;
- Define the short, medium and long term improvement strategies to meet identified needs including the preservation of right of ways;
- Develop consensus among the stakeholders on the next steps in the project development process.

## 2.0 MOBILITY PROBLEM

This section identifies the mobility constraints and problems within the SJRTS study area that are the primary causes for congestion. Existing mobility deficiencies will be explained in the context of existing land use patterns. The source for existing land uses will be the approved baseline MCTC and COFCG



## San Joaquin River Transportation Study

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land use database, and the URS Team's local familiarity. It is URS' belief that there is enough available information to develop an accurate and fair assessment of existing conditions without performing extensive additional data collection and analysis. We have used this information to create a project setting and existing conditions analysis working paper. The efficiency of this effort will allow us to focus on the future needs of the study area and reflect our understanding of the specific needs and recommendations.

### 2.1 FREEWAY AND ARTERIAL STREET ISSUES

Travel demand is exceeding existing freeway and arterial capacity, resulting in substantial delays during both peak and non-peak periods. Traffic throughout the SJRTS study area is currently constrained to a limited number of travel corridors to serve those that live and work in as well as pass through the SJRTS study area. Congestion on study area roadways is projected to grow up to 17% by the year 2025.

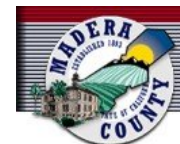
The SJRTS study area serves as a major north-south mobility corridor from Madera to Fresno County for both regional and local travel. This vital corridor serves different purposes and travel modes and provides mobility and economic benefits to the region that must be maintained. The freeways are commuter routes connecting residents of Madera County with jobs in other parts of the region.

The SJRTS study area serves major commercial hubs and activity centers. This vital corridor provides regional access to downtown Fresno, Fresno State and the FYI airport terminal. North of the SJRTS study area, the corridor provides access to the upper San Joaquin Valley and into the San Francisco and Sacramento areas. South of the SJRTS study area, the corridor provides access to San Joaquin Valley and LA Basins.

Traffic demand along the corridor is already high with some freeway sections carrying over xx trips per day. With the projected increase in employment and households (particularly in the Rio Mesa planning area), travel demand will increase significantly over the next 30 years, continuing to tax the existing and planned transportation infrastructure. Without multi-modal transportation improvements along the corridor, peak-hour congestion will increase in duration and intensity. However, implementation of any transportation solution should satisfy not only mobility needs but also be compatible with and enhance local community visions.

Operational chokepoints exist along segments of SR-99 and SR-41 within the study area including over the river bridges. There is also the issue of freeway continuity within the region that adds to demand on existing facilities across the river.

Major arterials play an important role in the SJRTS study area, supporting the freeway system by providing alternative corridors for regional north-south travel, as well as providing local access and circulation for the residents and businesses of the central valley. An important consideration in defining transportation improvement alternatives during this SJRTS Study will be attention to the balance of traffic between major arterials and freeway facilities.



## San Joaquin River Transportation Study

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### 2.2 OPERATIONS AND SAFETY

Operational and capacity deficiencies along the freeways result in chokepoints and high-volume, operationally unstable areas such as those along SR-99 and SR-41, making these areas conducive to higher incident rates. Incident-related congestion on freeways places further pressure on the arterial system, as traffic diverts from congested freeways onto surface streets.

Apart from the general congestion that occurs during the peak periods, bottlenecks along the SJRTS study area freeways occur at the merge points between the on-ramp and the mainline freeway. More specifically, bottlenecks occur when the on-ramp is a collector/distributor road, which typically carries higher volumes of traffic. Due to these high volumes on the on-ramps and the limited capacity of the mainline, the merging area fails and results in a choke point. Other bottlenecks along the mainline occur due to insufficient stopping sight distance, non-standard designs and at locations where weaving is required between interchanges and freeways. Currently, Caltrans is attempting to address this problem by proposing either to add auxiliary lanes between the interchanges or to extend the existing auxiliary lanes and provide additional lanes at on and off ramps.

The high demand, lack of capacity and recurring incidents create the need for improved safety within the SJRTS study area on the freeways and arterial system. As future volumes increase, the number of accidents is estimated to increase in the SJRTS study area.

### 2.3 MAJOR PHYSICAL CONSTRAINTS

The SJRTS study area currently lacks alternative modes and routes for regional trips. For example, regional rail only serves the very periphery of the SJRTS study area and is not very practical for most workers or residents in this area to use. Instead, private automobiles are used for the vast majority of trips. As a result, longer vehicle trips are required for people traveling to, from and through the SJRTS study area.

### 2.4 TRANSIT ISSUES

The SJRTS study area lacks public transportation connectivity between residences and businesses within the SJRTS study area and connecting the SJRTS study area to neighboring areas and the region. This lack of connectivity manifests itself through slower travel times and frequent transfers, which have the local residents expressing interest in newer and faster services. This lack of transit alternatives also impacts the freeway and street network in terms of additional single occupancy vehicles generated on local roadways.

## 3.0 CANDIDATE PROJECT ALTERNATIVES

The San Joaquin River Transportation study examined a no-build condition and numerous build alternatives. Originally, there were over eight (8) build alternatives considered. They have been screened down to 4 basic build alternatives by the SJRTS Technical Committee and consultant team through the process of collecting available data and analysis. All build alternatives are located between Copper





## San Joaquin River Transportation Study

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Avenue and Millerton Lake. All alternatives require improvements of existing roadway facilities and construction of new facilities. The four build alternatives are displayed in **Figure 3-1** along with the alternatives that were screened out during this process.

The no-build alternative serves as a baseline to compare build alternatives and future traffic volumes. In the following sections, the project alternatives are defined and their results illustrated. The analysis utilized 50 locations where traffic volumes were taken to compare performance across alternatives and Level of Service (LOS) as interpreted based on the Fresno County Regional Transportation Plan Roadway Capacity table<sup>1</sup>. In addition, volume over capacity (V/C) ratios were modeled to provide another indicator of traffic congestion.

### 3.1 PROJECT MODEL

The project model has been developed to achieve the objective's listed above. It incorporated parts of the Fresno County and Madera County models within defined project limits. In addition, this model required the preparation of new land use data and revisions of existing model transportation networks. Subsequently, the project model was calibrated and its results were reviewed by Technical Committee members for approval.

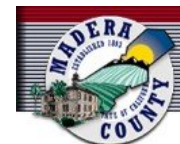
The SJRTS Technical Subcommittee reviewed and approved the project model methods and results. The subcommittee established criteria for the model's acceptance. The four criteria set by the subcommittee include:

1. Directional splits on State Route (SR) 99 and SR 41 in both the a.m. and p.m. peak hours should be consistent with the Fresno County Model (COFCG Model);
2. Trips generated and attracted in both a.m. and p.m. peak hours in Fresno County should be almost consistent between the Project Model and COFCG Model;
3. The differences in traffic volumes along some major corridors were expected to be different due to the new trip distribution that accounts for a gravity function between the two counties; and
4. The future volumes were expected to be higher than the counts in general, and consistent with future land use data.

Working Paper No. 2 described the model preparation process and criteria implemented for the model acceptance process. It also evaluated the No Build and Build Alternative model projections and compared results. Finally, the alternative analysis was conducted to evaluate performance and feasibility solely on forecast model demand results.

### 3.2 SUMMARY OF FINDINGS

The SJRTS Technical Committee began the alternative screening process with 8 build alternatives developed from previous work efforts and a no-build alternative. Based on discussions at multiple TAC meetings, 4 build and one no-build alternative were selected for further consideration. The no-build alternative is the baseline to be used as a point of comparison.



## San Joaquin River Transportation Study

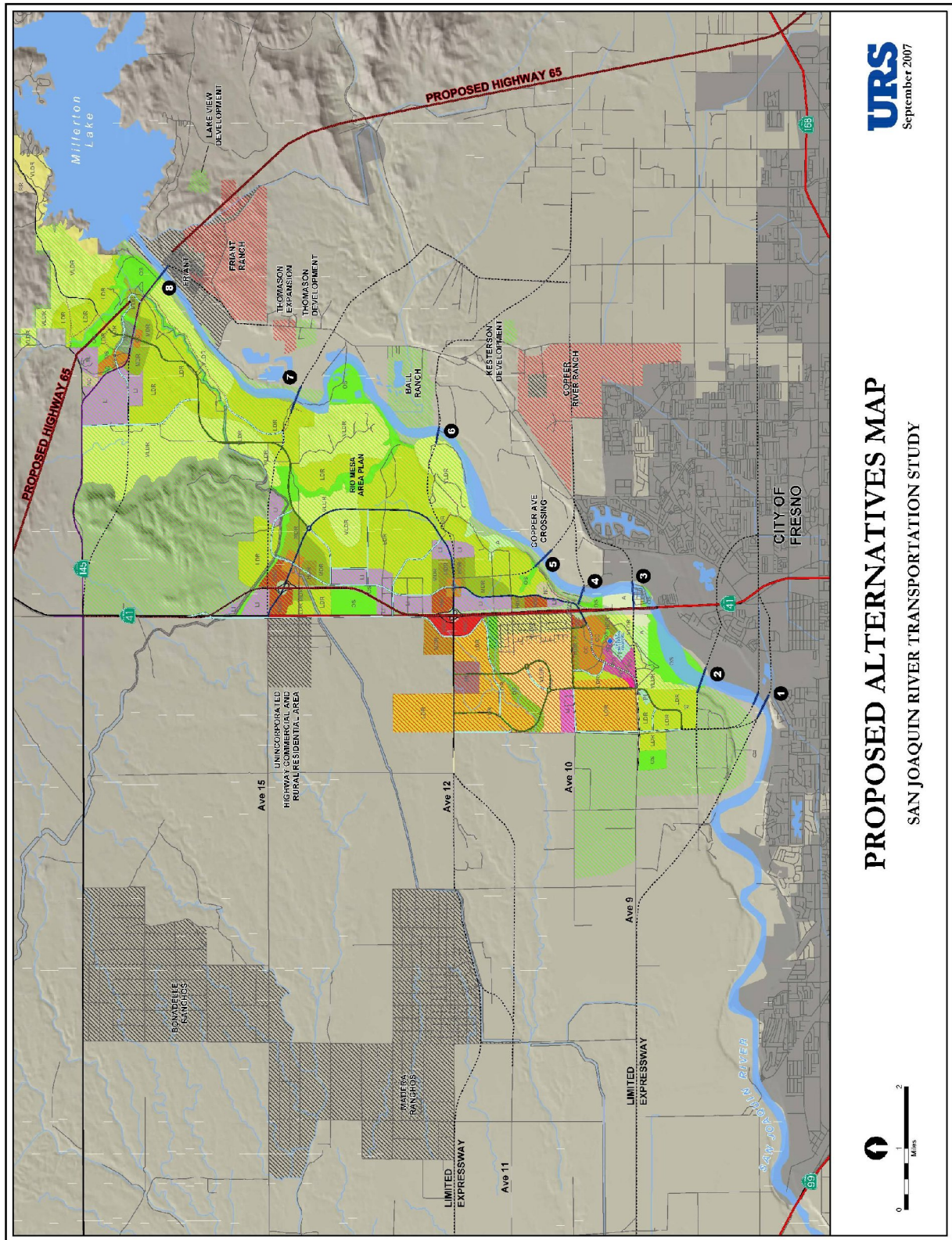
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Based on the results of the San Joaquin River Transportation project model, the construction of a river crossing has high demand and would be feasible from a purely traffic demand perspective. A new bridge would attract between 33,000 and 58,000 daily two way trips. All build alternatives would have notable traffic congestion relief on SR-41 but negligible impacts on SR-99. A river crossing would also have moderate effects along east-west traffic on most of Herndon Avenue. However, all build alternatives have favorable traffic congestion relief on SR-168, Friant Road, and Copper Avenue. SR-145 also experiences traffic congestion from a new bridge and will attract more traffic with widening of the bridge on Road 206. Environmental and engineering constraints were considered along with these traffic volume forecasts to select the most feasible locally preferred strategy in subsequent deliverables.

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<sup>1</sup> These 50 locations are key roadway segments across the study area.

Figure 3-1: Proposed Alternative Map





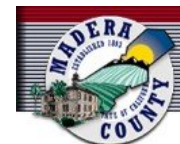


### 4.0 RECOMMENDED ALTERNATIVES FOR FURTHER STUDY

The SJRTS Technical Committee began the alternative screening process with more than 8 build alternatives including various alignment options and a no-build alternative. Based on discussions at multiple TAC meetings and analysis of available data and new data developed for this study, four (4) build alternatives were selected for further comparison against the No Build scenario. Additional information was utilized as provided by Caltrans and the Blueprint planning efforts related to the need and alignment of the proposed Highway 65 (as a regional facility) and the future Metro-Rural Loop system. Based on the results of the San Joaquin River Transportation project model, the construction of a river crossing has high demand and would be feasible from a purely traffic congestion perspective.

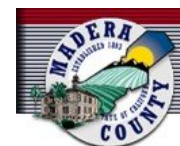
Based on this analysis, the Locally Preferred Strategy (LPS) as proposed would include the development of one of the alternatives adjacent to the SR-41 crossing in Alternatives 5 or 6. Further analysis and study is needed to determine which of the two alignments would be most cost effective but this crossing would provide local access between the two counties from Rio Mesa to the city of Fresno and would take local trips off of SR-41. The LPS should also include the development of Alternative 7: the crossing from Avenue 15 to Auberry Road adjacent to Lost Lake that would tie into and require an extension of Clovis Avenue to the City of Clovis. This alignment would act as a regional high capacity crossing in the initial phases of development and would eventually become the proposed alignment of Highway 65 and an integral component of the Metro-Rural Loop. The final element of the LPS would be Alternative 8 and include the widening the Road 206 bridge, reconstruction of the intersection with Friant Road/Millerton Road and a new 6 Lane facility extending along the Friant-Kern canal around Friant Ranch south to Clovis Avenue with a future interchange at Highway 65. In essence, this would provide a Locally Preferred Strategy with the capacity to enhance mobility in the future and take demand from the existing crossings that are available at the present.

Based on the analysis process that was followed and the input provided by the SJRTS Technical and Steering Committees, four final alignment alternatives have been developed and analyzed for impacts and benefits. All four alternatives provide the region with the benefit of additional capacity and improved mobility. They also have potential negative traffic and environmental impacts and challenges to completing construction.



## San Joaquin River Transportation Study

<b>San Joaquin River Transportation Study: Comparative Evaluation of Potential Alternatives</b>				
<b>DESIGNATION</b>	<b>Alternative 5</b>	<b>Alternative 6</b>	<b>Alternative 7</b>	<b>Alternative 8</b>
DESCRIPTION	Avenue 12 to Copper Avenue	Avenue 12 to Willow Avenue and Friant Road	Avenue 15 to Clovis Avenue ( With SR 65)	SR 145 to Road 206 and Friant Road
TYPE OF FACILITY OWNER / OPERATOR	Local Collector County of Madera & City of Fresno	Local Collector County of Fresno/Madera	State Expressway County/Caltrans and PPP	County Road County of Madera County of Fresno
<b>EVALUATION CRITERIA</b>				
<b>A. REGIONAL CONNECTIVITY</b>				
A.1 Interchanges	SR 41, Friant Road, and Copper Avenue	SR 41, Friant Road, and Willow Avenue	SR 41, Highway 65, and Friant Road	SR 145, Road 206, SR 168, & Friant Road
A.2 MRL / Highway 65	No Direct Connection	No Direct Connection	Direct Connection	Direct Connection
<b>B. RIVER IMPACTS</b>				
B.1 Physical Impacts to San Joaquin River	Moderate	Moderate	High	Minimal
B.2 Wetlands Impacts	Moderate	Moderate	High	Moderate
<b>C. DEVELOPMENT/LAND USE IMPACT</b>	Rio Mesa, Copper River Ranch	Rio Mesa, Ball Ranch, Kesterson Development	Rio Mesa, Thomson Development	Rio Mesa, Friant Ranch, Mirrabella, Millerton New Town, Lake View Development
<b>D. PARKS AND RECREATION</b>				
D.1 Bicycle and Hiking Trail Conflicts	Accommodated	Accommodated	Accommodated	Accommodated
D.2 Physical Impacts to Parks	None	None	Potential	None
D.3 Indirect Impacts to Parks	Moderate	Moderate	Potential for Significant Impacts	Moderate
D.4 Impacts to Golf Facility	Moderate	None	None	None



## San Joaquin River Transportation Study

<b>E. UTILITIES - PG &amp; E TRANSMISSION LINE</b>				
E.1 Number of Poles Impacted	10	None Known	None Known	None Known
<b>F. ENVIRONMENTAL ISSUES</b>				
F.1 Biological Resources	Multiple Habitats	Multiple Habitats	Multiple Habitats	Multiple Habitats
F.2 Cultural Resources	Potential Impacts to Indian Tribes	Potential Impacts to Indian Tribes	Potential Impacts to Indian Tribes	Potential Impacts to Indian Tribes
F.3 Air Quality Impacts	Minor	Minor	moderate	Minor
F.4 Noise Impacts	Minor	Minor	significant	moderate
F.5 Visual Impacts	Bridge	Bridge	Bridge	Bridge/Roadway
<b>G. EARTHWORK</b>				
G.1 Material Volumes (Million Cubic Feet)	3.47	3.51	6.95	12.03
<b>H. HAZARDOUS MATERIALS/WASTE</b>				
H.1 Potential Issues	None Known	None Known	None Known	None Known
<b>I. RIGHT OF WAY IMPACTS</b>				
I.1 Total Area (Acres)	54.89	55.54	110.03	190.48
I.2 Estimated Cost (Million)	\$13.46	\$13.10	\$24.96	\$42.49
I.3 Full R/W Takes (Road Width) (Feet)	110	110	300	110
<b>J. TRAFFIC CONSIDERATIONS</b>				
J.1 Projected Corridor Volumes	50,000 ADT	57,500 ADT	33,500 ADT	54,500 ADT
J.2 No. of Intersection > LOS C (AM Pk-Hr)	5 (Out of 12)	5 (Out of 12)	6 (Out of 12)	5 (Out of 12)
J.3 No. of Intersection > LOS C (PM Pk-Hr)	8 (Out of 12)	7 (Out of 12)	8 (Out of 12)	4 (Out of 12)
<b>K. CONSTRUCTION COSTS</b>				
K.1 Roadway Costs (Million)	\$92.70	\$86.90	\$217.60	\$293.80
K.2 Structure Costs (Million)	\$32.00	\$5.00	\$31.00	\$24.00
K.3 Total Construction Costs (Million)	\$124.70	\$91.90	\$248.60	\$317.80



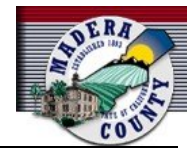
## San Joaquin River Transportation Study

K.4 Total Project Outlay Costs (Million)	\$153.12	\$116.03	\$303.40	\$398.42
K.5 Cost/Mile (Million)	\$37.19	\$27.86	\$36.77	\$27.89

Order of magnitude cost estimates for the four Alternative Corridors were estimated as follows:

- Alternative 5 - \$154 Million
- Alternative 6 - \$116 Million
- Alternative 7 - \$304 Million
- Alternative 8 - \$399 Million

One of the most significant differences between the four Alternatives is the variance in costs. Alternatives 5 and 6 are nearly half the cost of Alternative 7 and 8 due to the length and amount of roadway construction necessary to accomplish those projects. A complete cost data breakdown has been provide in Working Paper No. 4, Appendix F.



### 5.0 RECOMMENDED LOCALLY PREFERRED STRATEGY (LPS)

The SJRTS Technical Committee began the alternative screening process with more than 8 build alternatives including various alignment options and a no-build alternative. Based on this analysis, the Locally Preferred Strategy (LPS) as proposed would be the implementation of three river crossings including the development of one of the alternatives adjacent to the SR-41 crossing studied in Alternatives 5 or 6. Further analysis and study is needed to determine which of the two alignments would be most cost effective but this crossing would provide local access between the two counties from Rio Mesa to the city of Fresno and would take local trips off of SR-41. The LPS should also include the development of Alternative 7: the crossing from Avenue 15 to Auberry Road adjacent to Lost Lake that would tie into and require an extension of Clovis Avenue to the City of Clovis. This alignment would act as a regional high capacity crossing in the initial phases of development and would eventually become the proposed alignment of Highway 65 and an integral component of the Metro-Rural Loop. The final element of the LPS would be Alternative 8 and include the widening the Road 206 bridge, reconstruction of the intersection with Friant Road/Millerton Road and a new 6 Lane facility extending along the Friant-Kern canal around Friant Ranch south to Clovis Avenue with a future interchange at Highway 65. In essence this would provide a Locally Preferred Strategy with the capacity to enhance mobility in the future and take demand from the existing crossings that are available at the present.

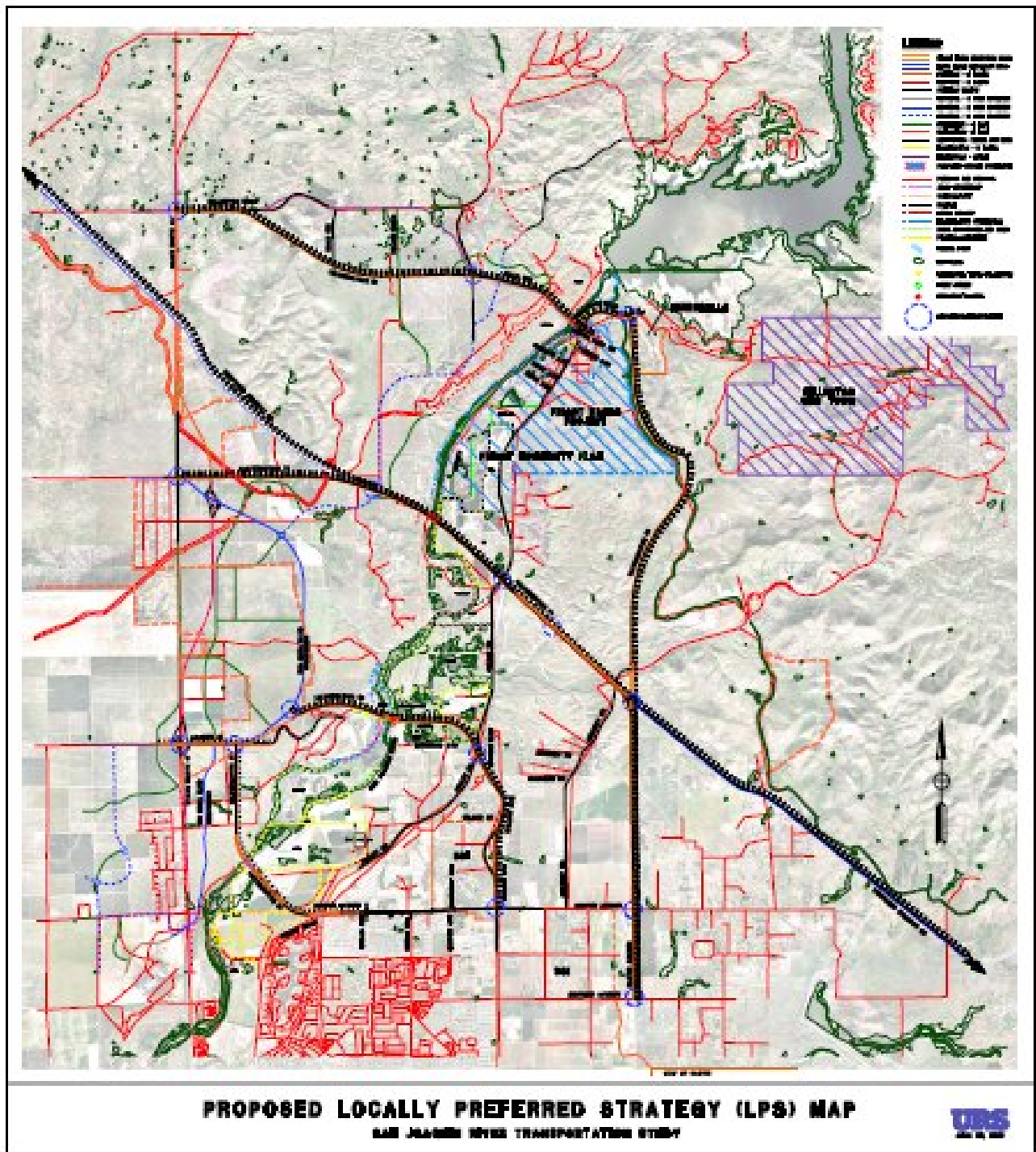
In summary, the recommended LPS should include the following improvements:

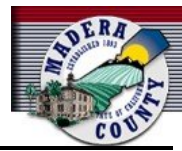
1. Development of a river crossing and associated alignment at one of Alternative 5: Copper Avenue or Alternative 6: Willow Avenue alignments. This improvement would provide a mid term circulation improvement that provides access between the proposed Rio Mesa Plan area in Madera County and the City of Fresno on the southern side of the river. This element of the LPS will require additional planning and discussion with the development community to determine the most cost effective alignment and crossing to provide local traffic benefits.
2. Development of a long term regional facility that would include an earlier phase to provide the crossing over the river in the Lost Lake area known as Alternative No. 7. This proposed alignment would eventually develop into the proposed State Highway 65 alignment that is needed as a long term inter-regional alternative to SR-99. The alternative should be developed to state highway standards and should be consistent with the planned Metro-Rural Loop system identified as part of the Compass Blueprint planning efforts being undertaken within the Valley at this time. The crossing and associated circulation system could be constructed earlier with the full state highway cross sections in order to provide for the future use. The facility will require 300 foot of right of way including a multi-modal envelope in the median.
3. The final element of the LPS would provide for a short term improvement of the Road 206 bridge and approaches in the Friant area. This alignment would provide a higher capacity connection from SR-145 to Friant/Millerton Road with improvements. It would potentially provide an extension of Millerton Road along the eastern side of the Friant-Kern Canal traveling south to Clovis Avenue.



## San Joaquin River Transportation Study

The following graphic illustrates the recommended LPS as identified in this section.





### 6.0 NEXT STEPS

This study has developed an Implementation Plan for the proposed LPS. A major challenge to implementation of the LPS will be the programming of funding for these projects. These short to long term projects all need funding beyond what is available in current Madera and Fresno County transportation plans. It will be necessary to define funding sources and develop a funding plan for each of the projects. The following next steps in the development of the LPS are recommended for consideration:

1. Utilize future planning efforts to model the proposed LPS and determine the cumulative impacts and benefits to the region.
2. Develop individual planning studies for each facility to define more detailed design requirements and identify benefits and impacts of each.
3. Identify funding sources for each project and begin the process of defining the total funding for these elements.
4. Begin the project initiation development process for each of the three LPS elements by development of the appropriate planning document for each facility (plan line, route concept report or development entitlement process). As part of this planning process, additional alternatives should be studies such as new urbanist land use planning techniques that could reduce the amount of future traffic and increase the use of alternative modes of transportation.
5. Use this document and future planning documents to provide a tool for preservation of right of way. This should be a high priority item since it is necessary to preserve the needed right of way of these facilities as soon as possible in order to insure that there will be room to construct these bridges and roadways in the future as funds become available.
6. Develop Memorandums of Understanding and agreements between agencies as appropriate for each of the three LPS elements in order to insure that each jurisdiction will take the appropriate measures to complete construction of the recommended LPS.
7. Prepare the preliminary engineering and environmental documents necessary to gain approval to construct these facilities and obtain funding. This will not be an easy task and could potentially take years. In the case of the future Highway 65 alignment, there may be a lack of public funds available and there is potential for this facility to be developed under a public-private partnership (PPP) or consortium relationship. In order for this to be studied in detail, the private partners will need to have some assurance that the project can be developed and environmental impacts can be mitigated.

This is a brief summary of the programming steps that may need to be followed in order to preserve right of way and fund construction of potential improvements that will provide improved mobility across the region. A preliminary implementation schedule for the LPS has been included in this section to provide a starting point for future discussion on a transportation program.



# San Joaquin River Transportation Study

